IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 12TH FEBRUARY 2007 / 23RD MAGHA 1928

Crl.MC.No. 338 of 2007()

CRL.M.C.46/2007 ON THE FILE OF SESSIONS COURT, ERNAKULAM
CRIME NO.1626/2006 OF CENTRAL POLICE STATION, ERNAKULAM

PETITIONER:

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1. BIJU D'CUNHA @ ALBERT BIJU,
   AGED 24 YEARS, S/O.ROBERT D'CUNHA,
   PANDARAPARAMBIL HOUSE, PALLIKAVU TEMPLE ROAD,
   VADUTHALA, COCHIN-23.

2. ROBERT D'CUNHA,
   PANDARAPARAMBIL HOUSE, PALLIKAVU TEMPLE ROAD,
   VADUTHALA, COCHIN-23.

BY ADV. SRI.T.M.SUNIL
SMT.S.CHITHRA
SHRI A.S.BRIJESH

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED
   BY PUBLIC PROSECUTOR.

2. THOMAS GEORGE,
   S/O.GEORGE, THALATHARA,
   KIZHAKKEKARA VEEDU, ELANTHOOR,
   PATHANAMTHITTA DISTRICT.

BY PUBLIC PROSECUTOR, SRI GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 12/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

Crl.M.C.No.338 of 2007

Dated this the 12th day of February 2007

O R D E R

The grievance of the petitioner is that the bail application filed by the second respondent/accused has not been disposed of on merits and interim bail has been granted to the second respondent. This, the petitioner contends, is unjustified. The learned Sessions Judge has not adverted to the relevant inputs at all in the proper perspective. Interim bail was granted as per the order dated 15/01/2007 till 22/01/2007 and thereafter that interim bail was extended till 20/02/2007. I find merit in the grievance raised by the petitioner. I am satisfied that directions can be issued to the learned Sessions Judge to consider and dispose of the bail application on merits on 20/02/2007. The petitioner shall be at liberty to appear before the learned Sessions Judge and make his submissions also. Appropriate orders on merits shall be passed by the learned Sessions Judge on 20/02/2007 or immediately thereafter after hearing all concerned.

Hand over copy of this order to the learned counsel for the petitioner .

(R.BASANT, JUDGE)

jsr

R.BASANT, J

C.R.R.P.No.

ORDER

21ST DAY OF JULY 2006